

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health

Division of Maternal and Child Health

(Amendment)

911 KAR 2:150. Kentucky Early Intervention Program personnel qualifications

RELATES TO: 20 U.S.C. 1471 to 1485

STATUTORY AUTHORITY: KRS 194A.050, 200.650-676, EO 2004-726

NECESSITY, FUNCTION AND CONFORMITY: KRS 250.660 requires the Cabinet for Health and Family Services to administer all funds appropriated to implement provisions of KRS 200.650 to 200.676, to enter into contracts with services providers, and to promulgate administrative regulations. This administrative regulation sets forth the provisions of personnel qualifications as they relate to First Steps, Kentucky's Early Intervention Program.

Section 1. Enrollment Process for Provider Participation

(1) The program shall enroll sufficient providers to carry out the early intervention services according to the provision of KRS 200.650 to 200.676.

(2) The program shall contract only with an individual or agency who meets the qualifications set forth in Section 2 of this administrative regulation.

(3) The program shall reserve the right to contract or not contract with any potential provider or agency.

(4) Any provider or agency that wishes to participate as a provider in the First Steps program shall:

a. Complete and submit to the program:

i. A valid professional license, registration, or certificate;

ii. Provider Enrollment Form;

iii. Code of Ethical Conduct; and

iv. Individual Provider Agreement.

b. Adhere to the programs background check policy and submit, prior to final approval:

i. Administrative Office of the Courts, PT 49 Criminal Background Check form; and

ii. Central Registry Check form, DPP-156.

c. Agree to provide service within the individuals or agency's scope of practice and in accordance with First Steps policy and state and federal regulations and laws.

d. Be enrolled as a participating provider prior to being eligible to receive reimbursement in accordance with federal and state laws.

e. The application will not be considered complete and will not be processed until all information and any subsequent documentation requested by the program is provided.

(5) The program will make an enrollment determination within 90 days of

receipt of a completed application.

(6) If the applicant is approved for enrollment, the contract will be executed and the program shall issue a contract number that shall be used by the provider solely for identification purposes. This provider number is a unique identifier and shall not be shared with any other provider.

(7) A provider's participation shall begin and end on the dates specified in the executed contract for program participation.

(8) If an agency is the enrolled provider, then the agency is responsible for ensuring that all staff providing First Steps services meet the First Steps personnel qualifications.

(9) Provider applications and contracts must be renewed on every even numbered year, and the individual or agency wishing to renew their contract must submit the required documentation to continue that contract.

Section 2 Personnel Qualifications.

(1) Minimum qualifications for professionals or disciplines providing services in First Steps shall be:

(a) An audiologist shall have in accordance with KRS 334A.030:

1. A master's degree; and
2. A license from the Kentucky Board of Speech-Language Pathology and Audiology.

(b) A family therapist shall have in accordance with KRS 335.300:

1. A master's degree; and
2. A license from the Kentucky Board of Licensure of Marriage and Family

Therapists.

(c) A developmental interventionist shall have in accordance with KRS

161.028:

1. A bachelor's degree; and

2.a. An interdisciplinary early childhood education (IECE) certificate by the Kentucky Education Professional Standards Board, Division of Certification or be able to obtain a probationary or emergency IECE certificate; or

b. Hold a valid out-of-state certificate for the teacher of children ages' birth to three (3) years with disabilities.

(d) A nurse shall have in accordance with KRS 314.041:

1. An associates degree or diploma from a registered program; and

2. A license from the Kentucky Board of Nursing.

(e) A nutritionist shall have in accordance with KRS 310.031:

1. A master's degree; and

2. A certificate from the Kentucky Board of Licensure and Certification for

Dietitians and Nutritionists.

(f) A dietitian shall have in accordance with KRS 310.021:

1. A bachelor's degree; and

2. A license from the Kentucky Board of Licensure and Certification for

Dietitians and Nutritionists.

(g) An occupational therapist shall have in accordance with KRS 319A.110:

1. A bachelor's degree; and

2. A license from the Kentucky Board of Licensure for Occupational Therapy.

(h) An orientation and mobility (O and M) specialist shall have in accordance with KRS 161.020 and with the Division of Exceptional Children services, Kentucky Department of Education a bachelor's degree in Special Education with emphasis on visual impairment and O and M.

(i) A physician shall have in accordance with KRS 311.571:

1. A doctor of medicine degree or doctor of osteopathy degree; and
2. A license from the Kentucky Board of Medical Licensure.

(j) A physical therapist shall have in accordance with KRS 327.020:

1. A bachelor's degree; and
2. A license from the Kentucky Board of Physical Therapy.

(k) A psychologist shall have in accordance with KRS 319.032:

1. A doctoral degree; and
2. A license from Kentucky Board of Examiners of Psychology

(l) A psychological practitioner or licensed psychological associate shall have in accordance with KRS 319.056 or 319.064:

1. A master's degree; and
2. A certificate from the Kentucky Board of Examiners of Psychology.

(m) A social worker shall have in accordance with KRS 335.090:

1. A bachelor's degree; and
2. A license from the Kentucky Board of Social Work.

(n) A speech-language pathologist shall have in accordance with KRS 334A.050:

1. A master's degree; and

2. a. A license from the Kentucky Board of Speech-Language Pathology and Audiology, or

b. An interim license from the Kentucky Board of Speech-Language Pathology and Audiology and be under the supervision of a currently enrolled First Steps Speech Pathology provider.

(o) A teacher of children who are deaf and hard of hearing shall have in accordance with KRS 161.030

1. A bachelor's degree; and

2. A certificate for teaching the hard of hearing, deaf, or hearing impaired, or a certificate for teaching the hearing impaired, grades P-12, K-12 issued by the Kentucky Education Professional Standards Board, Division of Certification.

(p) A teacher of the visually impaired shall have in accordance with KRS 161.030:

1. A bachelor's degree; and

2. A certificate for teaching of the visually impaired, grades P-12, or a certificate for teaching the partially seeing, blind, or visually impaired, K-12, issued by the Kentucky Education Professional Standards Board, Division of Certification.

(q) A licensed professional clinical counselor (LPCC) shall have in accordance with KRS 335.525 (1):

1. A master's degree; and

2. A license from the Kentucky Board of Licensure.

(r) An Optometrist shall have in accordance with KRS 320.290:

1. A degree from an accredited school or college of optometry; and
2. A license from the Kentucky Board of Licensure.

(s) An Ophthalmologist shall have in accordance with KRS 311.571:

1. A doctor of medicine degree or doctor of osteopathy degree;
2. A license from the Kentucky Board of Medical Licensure and
3. Certification from the American Board of Ophthalmology.

(2) The minimum qualifications for paraprofessionals providing services in First Steps shall be:

(a) A developmental associate shall:

1.a. Have an associate degree in the area of interdisciplinary early childhood education (IECE); and

b. Be directly supervised by a developmental interventionist.

(b) An occupational therapy assistant shall have in accordance with KRS 319A.110:

1. An OTA degree; and
2. A license from the Kentucky Board of Licensure for Occupational Therapy.

(c) A physical therapy assistant shall have in accordance with KRS

327.040(13):

1. An associate degree in physical therapy assistance; and
2. A license from the Kentucky Board of Physical Therapy.

(d) A licensed practical nurse shall have in accordance with KRS 314.051:

1. A high school diploma or a GED;
2. Completed a state approved LPN education program; and

3. A license from the Kentucky Board of Nursing.

(3) The minimum qualifications for recognized service positions providing services in First Steps shall be:

(a) A service coordinator shall

1. Meet minimum highest entry-level requirement for one (1) of the professions delineated in this administrative regulation; or

2. Have a bachelor's degree and the equivalency of two (2) year's experience in working with young children ages birth through five (5) years, or two (2) years' experience working with families with young children ages birth through five (5) years, in a position in which the following skills and competencies have been demonstrated:

a. Communication skills in interviewing, negotiation and mediating, and providing informal support;

b. Problem-solving by finding and utilizing services and resources, resolving conflicts, integrating services using formal and informal channels, and enabling families to use problem-solving;

c. Organization by maintaining accurate data collection and resource information, exhibiting flexibility in scheduling, and developing plans; and

d. Collaboration and leadership through developing relationships with families, enabling families to develop their decision-making skills, and establishing collaborative relationships with service providers.

(b) A developmental evaluator shall:

1. Meet minimum highest entry-level requirements for one (1) of the

professionals delineated in this administrative regulation; and

2. Have two (2) years experience working directly with young children birth through two (2) years of age, including children with disabilities or atypical development; and

3. Have one (1) year of experience in using standardized instruments and procedures to evaluate infants and toddlers birth through two (2) years of age, completed as part of formal training or in supervised practice, or completing a mentorship during the first year of providing services in First Steps as approved by the cabinet; and

4. Be approved by the cabinet.

(c) An assistive technology specialist shall:

1. Meet the minimum highest entry-level requirements for one (1) of the professions delineated in this administrative regulations;

2. Have extensive knowledge, training, and experience in the field of assistive technologies for infants and toddlers with disabilities; or

3. Meet the qualifications in subparagraph 2 of this paragraph and be employed by an agency that currently provides assistive technology service in First Steps, and

4. Be approved by the cabinet.

(d) A respite provider shall:

1. Meet all license, administrative regulations, and other requirements applicable to the setting in which respite is provided; and

2. Be approved by the individualized family service planning team.

Section 3. Field Experiences – Intervention implemented by a student.

1. With family consent, students may provide early intervention under the direct supervision of personnel employed in accordance with Section 1 of this administrative regulation.

2. A student in a field experience with an approved First Steps provider who provides early intervention shall complete and sign staff notes and the First Steps provider shall also complete and sign a staff note for each session in which the student facilitates intervention, including a statement in the note that direct one-on-one supervision was provided during the intervention session.

